

In The Matter Of:
Valencia Colon v.
Richard Roundtree et al

Chrislynn Kuhlke
February 4, 2022

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IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA AUGUSTA DIVISION		I N D E X	
Valencia Colon,)	CROSS-EXAMINATION BY MR. CAUTHORN	Page 5
Plaintiff,)	DIRECT EXAMINATION BY MS. HAYNES	Page 50
v.)		
Richard Roundtree, et al.,)		
Defendants.)		
Civil Action File No. 1:21-cv-00149-JRH-BKE			
The videotaped videoconference deposition of		E X H I B I T S	
CHRISLYNNE KUHKE, taken for purposes of discovery,		EXHIBIT	DESCRIPTION
cross-examination, and all other purposes allowed		NUMBER	PAGE MARKED/ IDENTIFIED
under the Civil Practice Act of Georgia; all		D	Event Contract 1/31/22 20/20
formalities waived; the reading and signing of the		E	Event Contract 1/16/19 24/24
deposition waived; before Jennifer A. Gerber, CCR		A	Open Records Request Production 25/26
6241-2465-4151-2704, Certified Court Reporter, in		C	Title 6 License and Business Regulations 39/39
and for the State of Georgia; commencing at			
9:13 a.m., February 4th, 2022, Augusta, Georgia.			

<p style="text-align: right;">Page 5</p> <p>1 (Whereupon, the witness was sworn remotely by the court 2 reporter per agreement of counsel.) 3 Whereupon, 4 CHRISLYNNE KUHLE 5 Was called as a witness herein and, having been first duly 6 sworn, was deposed and testified as follows: 7 CROSS-EXAMINATION 8 BY MR. CAUTHORN: 9 Q Ms. Kuhlke, can you, for the record, say your full 10 name and -- and spell it for me? 11 A Mary, M-A-R-Y, Chrislynn, C-H-R-I-S-L-Y-N-N-E, 12 Kuhlke, K-U-H-L-K-E. 13 Q Okay. And where are you employed? 14 A I'm employed with Augusta Recreation and Parks 15 Department. 16 Q What is your position with the -- with the -- with 17 the parks department? 18 A I'm with -- the rentals and facilities coordinator. 19 Q How long have you been there? 20 A I got my pin yesterday, 35 years. 21 Q Oh, my God. That's -- that's fantastic. 22 A Yes. 23 Q Not a lot of people have been anywhere for 35 years 24 nowadays, so that's -- that's -- 25 A Yes, uh-huh (affirmative).</p>	<p style="text-align: right;">Page 7</p> <p>1 have an event at Julian Smith Casino. Well -- well, let me ask 2 you first: Has the process changed today -- is the process any 3 different today than it was in -- in June of 2019? 4 A No. 5 Q Okay. So let's suppose I wanted to have an event at 6 Julian Smith Casino where I was gonna have -- rent the -- rent 7 the place from the county and I was gonna serve beer and wine 8 to my guests and things like that. How would I approach the 9 county? And walk me through that process with -- with the 10 parks department and how -- how we get that planned and done 11 and scheduled. 12 A Okay. Basically, you would come straight to me. And 13 I have a contract and -- we do a lot of this now online, so 14 I -- I don't know if you consider that a change, but it -- 15 it -- we do some of this online, but I still go through the 16 policies and procedures with whoever's renting. 17 When it comes to alcohol, the first question I ask: Are 18 you -- are you -- are you giving this alcohol away? Are you 19 selling it? Because you have to have a day license if you're 20 selling that alcohol or, you know, in any way selling it to the 21 people that are coming. 22 And once they tell me, no, I'm -- I'm giving it away, or I 23 am, you know, selling it; I direct them to either the -- the 24 license department -- which they have to have in writing with 25 the license department that they are having to go get a one-day</p>
<p style="text-align: right;">Page 6</p> <p>1 Q It must be a good environment to work in. 2 A Uh-huh (affirmative), okay. 3 Q So you were identified by defense counsel in this 4 case as someone -- we discussed some topics that would be -- 5 that would be covered during some depositions. And, you know, 6 when you take a deposition of an -- of an entity -- you know, 7 Augusta doesn't have a mouth and it can't talk for itself, so 8 it has to have -- have people designated to speak for it. 9 And -- and so you have been identified by defense counsel as 10 someone who is authorized to talk about the parks and 11 recreation department policies with regard to planning of 12 events and the planning of events at the public facilities. Is 13 that -- is that your understanding about what you're here for? 14 A Correct. 15 Q Okay, okay. And so we'll -- we'll stick to that, and 16 specifically I wanna talk -- we'll talk generally about -- 17 about planning of events, and then specifically I would like 18 to -- I'm gonna have some questions about an event that was 19 June 14th of 2019 at the Julian Smith Casino. And then -- 20 and then we'll talk about -- about policies and ordinances and 21 how they -- how the parks department interacts with other 22 departments and things like that with regard to the planning 23 and permitting process, okay? 24 A Okay. 25 Q Okay. So can -- if -- let's say that I wanted to</p>	<p style="text-align: right;">Page 8</p> <p>1 license -- or, no, we're giving it away. So I go from there 2 and I -- and I let them know that they will have to have a 3 police officer if you are having alcohol on the premises. It 4 doesn't matter if you have 150 people, 200 people, or 2 people. 5 You still will have to have a police officer if you are having 6 alcohol. 7 Q Okay. And when you say a police officer, is that -- 8 do they -- is that -- can it be a -- a special duty off duty 9 police officer, or did they have to be on the clock and in 10 uniform and -- and all of that? 11 A What we do is we contact the police department and -- 12 and we give them a copy of the contract and tell them that -- 13 whatever that -- they are -- need for that event. And they 14 email us back in -- in writing. They let us know who -- who is 15 needed and they give us the name of the person that will be 16 working that event. We have contacts with the police 17 department that we go to. 18 Q Understood, because they have people that they -- 19 they will -- all that kind of scheduling on their side; is -- 20 A Correct, correct. 21 Q Okay. And -- and when you say the police department, 22 do you work with just the police department, or do you also 23 work with the sheriff's office? 24 A Well, I work with the sheriff's office -- I mean, the 25 police department, and we do have some marshals that do work</p>

<p style="text-align: right;">Page 9</p> <p>1 the events also, along with firemen. You know, we have firemen 2 that you have to get to -- also. And I have a -- 3 Q So you work -- 4 A So I -- 5 Q You broke up. 6 A -- contacts with the firemen and the police officers 7 and the marshals. 8 Q Understood. 9 A Yeah, I -- 10 Q Okay. How -- how long does that process take? Let's 11 say that from contacting you, and then you helping them 12 understand what they need to do as far as licensing and 13 approval goes, how long does that process typically take? 14 A Well, I mean, if you have to get a license, you -- 15 for -- you know, if you're selling, it takes about -- at least 16 three months in advance to get one. Now, if you've already got 17 a license to sell alcohol, you have -- still have to get a day 18 license. And -- and if you have a license, you can get that 19 real quick. You can get that within a week. But if you're 20 like giving it away or -- you know, or bringing it yourselves, 21 then -- then you don't have to have anything -- 22 Q Okay. 23 A -- far as license-wise. 24 Q Okay. So if you're giving it away, that would be 25 like a wedding reception without -- it doesn't have a cash bar?</p>	<p style="text-align: right;">Page 11</p> <p>1 allows someone to sell alcohol, correct? And that's just a 2 general license where they can sell it at their location, 3 right? 4 A Right, correct. 5 Q Okay. But if they're using a park property for a 6 single event for one day, even if they've got one of those 7 licenses to sell alcohol generally, they still have to get a 8 day license to serve it at the -- 9 A Right. 10 Q -- at the event at the park property? 11 A Right. It has to have Julian Smith Casino on the 12 license. 13 Q Okay, okay. And so that's what you mean, when you 14 say a day license, you're talking literally about the same type 15 of a license that a restaurant or bar would have except that it 16 is specifically for one day at a park property? 17 A Correct. At a -- at a building. 18 Q Okay. And if you don't have a general bigger 19 license, that means you have to go through the whole process 20 of -- of -- and that's why you said it would take three months 21 or so, because you've got to go through a whole licensing 22 process -- 23 A Right. You have to be a nonprofit -- you have to be 24 a nonprofit to get a -- to get a day license if you don't have 25 another license. You cannot just -- you know, Joe Smith can go</p>
<p style="text-align: right;">Page 10</p> <p>1 A Correct. 2 Q Okay. Or a -- or a -- 3 A -- anything like that. 4 Q Okay. And they -- they don't have to get a day 5 license -- can you explain to me what a day license is, when 6 you say a day license? 7 A Basically -- basically it's -- it's -- we've been 8 working with the licensing department a long time. So it's -- 9 basically, it is if they're selling on the premises and money 10 is being exchanged, they have to have a day license showing 11 that they have bought a day license for that actual event. It 12 has to be out on the wall showing that they have a day license. 13 In that case -- inspection department, so I don't understand 14 the whole thing about it, but that's -- you have to have one. 15 Q Okay, understood. 16 MR. CAUTHORN: And -- and I actually -- Jennifer, did 17 we swear in the witness? 18 THE COURT REPORTER: (Nods head.) 19 BY THE WITNESS: (Resuming) 20 A Yeah. 21 Q I'm sorry, I was looking at my notes, I think, when 22 you were getting sworn in. Okay. 23 A Yeah. 24 Q So I -- I wanna make sure that I understand this. 25 Okay, so -- so there is just a general county license that</p>	<p style="text-align: right;">Page 12</p> <p>1 out there and get a day license. You can't do that. It has to 2 be a nonprofit. 3 Q Okay. 4 A Correct. 5 Q So if my daughter was getting married -- if my 6 daughter was getting married at Julian Smith, we'd have to have 7 a -- an open bar. We couldn't have a cash bar if we wanted 8 to -- 9 A Pretty much. Pretty much. 10 Q -- because -- because -- 11 A Unless you've got someone -- 12 Q -- nobody -- 13 A -- who already had an alcohol license. Like let's 14 say -- alcohol license -- 15 Q Okay. 16 A And so they could serve alcohol and sell it. 17 Q So a caterer could do it? 18 A A caterer, correct. 19 Q Okay. So I could have an event where I had a caterer 20 running the bar, and the caterer could get the license -- the 21 day license -- 22 A Correct, correct. 23 Q -- using their own license? 24 A Correct. 25 Q Okay, understood. And who has to sign off on that</p>

<p style="text-align: right;">Page 13</p> <p>1 license? Does the sheriff have to review that license and sign 2 off on it? 3 A No, the sheriff does not. The -- the license 4 inspection gives them a day license and it has to be signed and 5 put on the wall -- and we have to have it on the wall before 6 they can sell. 7 Q Okay. And is -- is that something that would be in a 8 file for a -- for an event? 9 A Not necessarily, no. We don't -- we don't file them, 10 no. We just have to have them on the wall before they -- we -- 11 to be honest with you, we don't have a lot of -- of cash bars. 12 We really don't. 13 Q Understood, understood. If -- let's say an event is 14 selling tickets and giving out wristbands for drinks, does that 15 count as selling alcohol? 16 A It is -- it does. If -- if the ticket includes 17 alcohol, that -- that -- that is -- is -- is a -- is a selling 18 event, so, yeah -- yes, that is. 19 Q Okay, okay. So that's -- that -- that's kind of what 20 I was asking. Because, you know, I know a lot of people would 21 say, okay, well, it's gonna be \$20 a ticket and we've got a 22 plate of barbeque and -- and you get a beer -- you know, two -- 23 two beer coupons with it. So that would be a -- that would be 24 a selling event? 25 A Correct.</p>	<p style="text-align: right;">Page 15</p> <p>1 A Right. 2 Q Okay. Do you know, or have you ever heard of 25 3 Gents? 4 A I sure have. 5 Q Okay. 6 A Twenty-five Gents has been with us over 30 years. 7 Q Okay. 8 A So -- 9 Q What is 25 Gents? 10 A It's -- it's a club. I mean, it's -- it's like a -- 11 it's like any of the fraternity-type -- it's just a club. 12 Q Okay. Just a social club? 13 A Yes. 14 Q Okay. Who were the people that -- or your contacts 15 at 25 Gents? 16 A For a long time I've worked with Willie Washington. 17 And he's gotten a little bit older, so I work a little bit with 18 Randy Knox now. And I'm very close to that group because I've 19 been with them that long. 20 Q And when you say that long, is that -- are -- are you 21 a member of 25 Gents, or do -- 22 A Oh, no. 23 Q -- they use the property all the time? 24 A They have used that facility as long as I have been 25 in my position. Every year pretty much at the same time.</p>
<p style="text-align: right;">Page 14</p> <p>1 Q Okay, okay. 2 A Now, if you bring your own or whatever, that is not 3 selling. We do have BYOB, bring your own. 4 Q And that's where the individual guests bring their 5 own? 6 A Correct. 7 Q Okay. The -- if individual guests are bringing their 8 own alcohol, does -- do they still have to get all the approval 9 for alcohol, or -- or is that just a -- just it -- it -- go 10 ahead and explain that. 11 A It should -- you don't have to have a license if 12 you're bringing your own. 13 Q Okay. What if the alcohol is free? What's the 14 process that has to -- has to be gone through if you're just 15 providing alcohol for free at your event? 16 A You just -- I just have to -- I have to assign a 17 police officer. They cannot, I do. I go through my -- 18 Q Okay. And that -- 19 A I send the contract. They send me a person. And 20 then we -- we have the police officer. 21 Q Okay. Who pays -- who pays for the police officer? 22 A The -- the people that are renting. 23 Q Okay, all right. And my understanding is Julian 24 Casino -- Julian Smith Casino is -- is an Augusta parks and rec 25 property where there are these types of events.</p>	<p style="text-align: right;">Page 16</p> <p>1 Q Okay, okay. And what type of -- of an event do they 2 have. You just said they use it every year. What's the event 3 that they have? 4 A I mean, they have an event right before Father's Day 5 and it's just a Father's Day get together. And then they have 6 one in November. I think it's something like a white party. 7 They're just parties. 8 Q Okay, okay. 9 A Yeah, parties -- get together -- 10 Q Do they have a standing permit or any kind of 11 standing application with the parks department, or do they get 12 a -- they go through the process individually each time they 13 wanna -- 14 A No. Everybody has to go through the process each 15 time -- each time, every time. 16 Q Okay. Do they usually sell alcohol, or do they just 17 provide it for free? 18 A They -- they -- they -- well, they have a BYOB, which 19 is bring their own. 20 Q Okay. Is sheriff or police security required at a 21 BYOB? 22 A Yes, sir. Anytime alcohol is on the premises you 23 have to have police officers. 24 Q Okay. So they have to go through you to get the 25 security, but they -- they don't go through that licensing</p>

<p style="text-align: right;">Page 17</p> <p>1 process when they have their event?</p> <p>2 A Correct.</p> <p>3 Q Okay. Do you know if they sell tickets to their</p> <p>4 event?</p> <p>5 A I don't -- I -- I am not sure. I don't -- I don't --</p> <p>6 I think they -- I'm not sure. I'm not positive. I would have</p> <p>7 to go back. Some of -- they have before in the past, but -- I</p> <p>8 think they do.</p> <p>9 Q Okay. Do you know what's included in the ticket?</p> <p>10 A I -- I think just the -- just the food and the -- and</p> <p>11 they have to pay for the building and all that, but it sure --</p> <p>12 it's not -- I know it's not alcohol because the people bring</p> <p>13 their own alcohol.</p> <p>14 Q Okay. And you -- by the people -- when you say the</p> <p>15 people, you mean the individual guests to the event?</p> <p>16 A Correct, correct.</p> <p>17 Q Okay. And I looked -- I was provided from you</p> <p>18 guys -- y'all provided a pretty substantial open records</p> <p>19 response to me. I sent an open records request to -- to y'all</p> <p>20 and it's a pretty substantial response. And it -- the -- the</p> <p>21 request was for documents related to the permitting of events</p> <p>22 in the year of 2019.</p> <p>23 A Uh-huh (affirmative).</p> <p>24 Q And I did not see any -- any paperwork related to any</p> <p>25 event at -- for the 25 Gents or for Julian Smith Casino on June</p>	<p style="text-align: right;">Page 19</p> <p>1 like a hundred and -- almost 200 pages worth of -- worth of</p> <p>2 documents that -- I went through it multiple times and I never</p> <p>3 saw anything about 25 Gents or an event at -- on June 14th,</p> <p>4 2019 or anything at Julian Smith Casino with 25 Gents or</p> <p>5 June 14th, 2019. So if you could find that -- those documents</p> <p>6 and email them to Tameka and she can email them to me.</p> <p>7 A Okay.</p> <p>8 Q We can take a few minutes to do that and then I can</p> <p>9 ask you questions about that and I'll have those documents in</p> <p>10 front of us.</p> <p>11 A Sure.</p> <p>12 Q Okay.</p> <p>13 A Yes, June 14th, two thousand -- what was is,</p> <p>14 nineteen?</p> <p>15 Q Nineteen.</p> <p>16 A Okay.</p> <p>17 THE VIDEOGRAPHER: And we were off --</p> <p>18 MR. CAUTHORN: All right --</p> <p>19 THE VIDEOGRAPHER: Off --</p> <p>20 MR. CAUTHORN: Let's --</p> <p>21 THE VIDEOGRAPHER: I'm sorry, go ahead.</p> <p>22 MR. CAUTHORN: Yeah, let's -- let's mute up until</p> <p>23 about 9:45, and then we'll come back and -- and -- and --</p> <p>24 and look at these documents.</p> <p>25 THE VIDEOGRAPHER: And we are off the record at 9:33.</p>
<p style="text-align: right;">Page 18</p> <p>1 14th of 2019. Do you know where that paperwork would be?</p> <p>2 A Are you speaking of the contract?</p> <p>3 Q Yes. Whatever documents would be in a file at</p> <p>4 Augusta -- at -- with you guys. I didn't get -- in the -- in</p> <p>5 the documents produced, I didn't see anything related to an</p> <p>6 event at Julian Smith Casino. And -- and -- and the reason I'm</p> <p>7 asking about this is because I'm getting ready to start asking</p> <p>8 you about a specific event on June 14th of 2019.</p> <p>9 A Uh-huh (affirmative).</p> <p>10 Q And I didn't see anything related to an event that</p> <p>11 day at all. And then I didn't see any paperwork related to 25</p> <p>12 Gents at all. And I was --</p> <p>13 A I did -- I can -- I can give you that contract right</p> <p>14 now. It's in my --</p> <p>15 Q Okay.</p> <p>16 A -- computer.</p> <p>17 Q Okay.</p> <p>18 A Yeah, uh-huh (affirmative).</p> <p>19 Q Okay. In about -- in -- in -- in -- I'm gonna ask</p> <p>20 you some questions in about -- and then -- can we take a five</p> <p>21 minute break and you -- and you can email Tameka that -- that</p> <p>22 contract? And then I -- and then -- because I'm -- because I'd</p> <p>23 like to talk to you.</p> <p>24 A Okay, sure.</p> <p>25 Q Okay. And I'm not -- you know, I -- y'all produced</p>	<p style="text-align: right;">Page 20</p> <p>1 (Whereupon, a brief recess ensued.)</p> <p>2 THE VIDEOGRAPHER: And we are back on the record at</p> <p>3 9:48.</p> <p>4 BY MR. CAUTHORN: (Resuming)</p> <p>5 Q Okay. Ms. Kuhlke, you just -- my understanding is</p> <p>6 you just provided your -- well, you just provided defense</p> <p>7 counsel with a copy of a document that's in the parks and</p> <p>8 recreation department's computer files; is that right?</p> <p>9 A (No audible response.)</p> <p>10 Q You're muted.</p> <p>11 A That's correct.</p> <p>12 Q Okay. And this is a document that reflects the --</p> <p>13 the event held by 25 Gents Inc. at the Julian Smith Casino on</p> <p>14 June 14th of 2019; is that correct?</p> <p>15 (Whereupon, Plaintiff's Exhibit D was marked for</p> <p>16 identification.)</p> <p>17 BY THE WITNESS: (Resuming)</p> <p>18 A Correct, correct.</p> <p>19 Q All right. I'm -- I'm gonna share my screen and</p> <p>20 we'll -- let me see -- okay, can you see this?</p> <p>21 A Yes -- well --</p> <p>22 Q It sometimes takes a second.</p> <p>23 A Okay, I see it on --</p> <p>24 Q Okay. It looks like it's two pages long; is that</p> <p>25 right?</p>

<p style="text-align: right;">Page 21</p> <p>1 A Correct.</p> <p>2 Q Okay. And this is a true and accurate copy of the --</p> <p>3 of the contract between 25 Gents Inc. and Augusta-Richmond</p> <p>4 County for the event that we have been talking about?</p> <p>5 A Correct.</p> <p>6 Q Okay. Can you walk me through -- just kind of walk</p> <p>7 me through the first page, what everything means and -- and --</p> <p>8 and how the information in it is created?</p> <p>9 A Okay. First off, I get -- I already have all the</p> <p>10 information -- we -- we use -- it's called ACTIVE Net -- and I</p> <p>11 already have all the information for the organization of the</p> <p>12 25 Gents. And I go in and put their name in, which you see on</p> <p>13 the left here, organization name. And then the agent's name,</p> <p>14 which is Willie Washington, who I was telling you about. And</p> <p>15 then I go in -- down -- and I put the date, which is June</p> <p>16 14th, 2019 -- down there, and I put what time they wanna come</p> <p>17 in, and what time they wan to end the party. Now -- now,</p> <p>18 it's -- it's not 11:30 because -- because our computer does</p> <p>19 not -- it goes up to 11:30, but the party -- it should have</p> <p>20 probably ended at 12 midnight -- because our computer doesn't</p> <p>21 go up to 12 midnight -- I don't know why, but it doesn't.</p> <p>22 Q Okay.</p> <p>23 A And then it -- huh?</p> <p>24 Q I just said okay.</p> <p>25 A Okay. And then how many are attending. And then</p>	<p style="text-align: right;">Page 23</p> <p>1 that means. They cleaned up, so I gave them back --</p> <p>2 Q But --</p> <p>3 A The deposit.</p> <p>4 Q Understood. So -- so -- so if they clean up their</p> <p>5 own events and there's no problem, they get their deposit back</p> <p>6 just like any other kind of a --</p> <p>7 A Correct, correct.</p> <p>8 Q Okay. Can you explain -- I'm gonna just ask you --</p> <p>9 under the -- it says contract number R4769 and then status</p> <p>10 completed up in the right hand corner. And then it's got a</p> <p>11 date of January 31st, 2022 at 12:23 p.m.</p> <p>12 A I -- I have -- I'm gonna be honest with you, I have</p> <p>13 no idea. I have the original contract here and it says date,</p> <p>14 January 16th, 2019, if -- if you'd like me to send you that.</p> <p>15 I have -- I --</p> <p>16 Q Yeah, can -- yeah, let's take another break so you</p> <p>17 can scan that original contract and --</p> <p>18 A It'll take a few seconds, I'm sorry.</p> <p>19 Q I -- no, I appreciate it, thank you.</p> <p>20 A Okay.</p> <p>21 THE VIDEOGRAPHER: Would you like to go off the</p> <p>22 record?</p> <p>23 MR. CAUTHORN: Yeah. Let's -- We'll -- we'll just</p> <p>24 meet up for about five minutes. This is not gonna take</p> <p>25 long.</p>
<p style="text-align: right;">Page 22</p> <p>1 that -- that -- that might not be accurate either, because once</p> <p>2 they come in and they -- and I put this in, which I -- I -- I</p> <p>3 have a contract -- yeah, it's -- where it says -- where I put</p> <p>4 it in -- January 16, 2019 -- which I don't know why that other</p> <p>5 one doesn't say that -- that I sent you -- but I've got the</p> <p>6 original one here in front of me. I found it. And if that</p> <p>7 changes, then -- then, basically, what they do is tell the --</p> <p>8 the guy that's over the casino, look, I said I was having 300,</p> <p>9 but I'm having 250 -- or I'm having 215, or something like</p> <p>10 that.</p> <p>11 And then once you go down under customer questions, are</p> <p>12 you selling tickets -- and they did sell tickets to this event,</p> <p>13 and it -- they sold advance tickets -- and are you having</p> <p>14 alcohol, yes. And then it says here, are you -- requires a</p> <p>15 security officer, and it says, yes. And then -- and then --</p> <p>16 then they have to pay. And if you see on the back, you see</p> <p>17 that March 22nd they paid the full amount, eleven --</p> <p>18 Q I'm scrolling to the second page because I think</p> <p>19 you're now talking about something on the second page.</p> <p>20 A Oh, yes. Then you'll see where they paid the check</p> <p>21 March the 22nd, 2019.</p> <p>22 Q Okay. And what's the June 21st, 2019 entry in</p> <p>23 there? What does that mean?</p> <p>24 A That is when the -- that is after their event, they</p> <p>25 are given back the deposit if they cleaned up. That's what</p>	<p style="text-align: right;">Page 24</p> <p>1 THE VIDEOGRAPHER: Excellent. And we are off the</p> <p>2 record at 9:53.</p> <p>3 (Whereupon, a brief recess ensued after which</p> <p>4 Mr. Randolph Frails joined the proceedings.)</p> <p>5 THE VIDEOGRAPHER: All right, and we are back on the</p> <p>6 record at 9:58.</p> <p>7 BY MR. CAUTHORN: (Resuming)</p> <p>8 Q I'm gonna share my screen again.</p> <p>9 A Okay.</p> <p>10 Q And this is gonna be Exhibits E to this deposition.</p> <p>11 (Whereupon, Plaintiff's Exhibit E was marked for</p> <p>12 identification.)</p> <p>13 BY MR. CAUTHORN: (Resuming)</p> <p>14 Q And this is the document you just sent me here with a</p> <p>15 different -- and -- and it appears to be the same document</p> <p>16 except for the fact that instead of having a date of January</p> <p>17 31st of 2022, it's got a date of January 16th of 2019.</p> <p>18 A Correct.</p> <p>19 Q Okay. Do you know why the first document you</p> <p>20 produced to me had a date of January 31st of 2022?</p> <p>21 A I have know earthly idea.</p> <p>22 Q Okay. And it wasn't -- it wasn't created on January</p> <p>23 31st of 2022, was it?</p> <p>24 A No, sir, it sure wasn't. It was created on -- on</p> <p>25 January's the 16th, 2019.</p>

<p style="text-align: right;">Page 25</p> <p>1 Q Okay. Well, I -- that's -- let's talk about Exhibit 2 E. That's the one you just sent that's dated January 16th, 3 2019. How did -- how did the -- how did the date populate -- 4 how does the date populate in the -- in this contract when 5 you -- when you fill it out? 6 A That -- that means -- that means when it was formed. 7 I -- I -- I put this in the computer on January the 16th, 2019. 8 And I have no idea why it has that two thousand -- 9 Q Okay. 10 A -- January -- I have no idea. 11 Q Okay. But for some reason for this event on January 12 14th -- or June the 14th of 2019, you have two contracts with 13 the same number and one of them is dated January 16th of 2019 14 and the other one is dated January 31st of 2022? 15 A I -- yes. 16 Q Okay. I'm gonna show you Exhibit A that I have right 17 here. 18 (Whereupon, Plaintiff's Exhibit A was marked for 19 identification.) 20 BY MR. CAUTHORN: (Resuming) 21 Q And I sent this to your attorney. And this is why, 22 to be honest with you, I -- if I'd known that those two 23 contracts -- the one from January -- from last week and the one 24 from 2019 existed, we would've -- I would've -- I would've 25 asked you for them before. But we had -- we sent an open</p>	<p style="text-align: right;">Page 27</p> <p>1 A I -- 2 Q -- prepared -- 3 A I -- yeah -- so I did. I got all the ones that I 4 had. 5 Q Okay. And do you know why the -- the one -- the -- 6 the -- the one from -- that we just looked at for Exhibit D and 7 Exhibit E, do you know why that wasn't in the production? 8 A I -- I -- I -- I have no idea. I -- you know, I told 9 them that, you know -- I mean, we didn't know what we were 10 doing it for, and I don't know why that one wasn't in there. 11 But it's -- it's been in the computer. I -- I don't -- I don't 12 know. See, I file them. I -- I don't know why it wasn't in 13 there. 14 Q Okay. Did you -- did you pull paper files out and 15 copy them -- 16 A Yes -- 17 Q -- and scan them -- 18 A Yes, correct. 19 Q Let me -- let me finish my question. Just -- 20 A Okay. 21 Q Okay. I'm not -- I don't wanna be rude. I'm just 22 trying to make sure that I finish my question, so that when 23 you're answer -- 24 A Yeah. 25 Q -- is made, it's the answer that needs to go to my</p>
<p style="text-align: right;">Page 26</p> <p>1 records request to the parks department some time ago and got 2 139 pages back, and that -- that contract wasn't in it. 3 Neither one of those contracts -- the one from January 31st, 4 2022 or January of 2019 -- neither -- are you there? Your 5 phone -- 6 A Yeah. I -- I don't know what I did. 7 Q Oh, you might have accidentally hit the -- hit the -- 8 the -- the -- there's a camera logo. 9 A Yeah, but it's saying -- 10 Q Let's go off the record for technical issues. 11 THE VIDEOGRAPHER: And we are off the record at 12 10:01. 13 (Whereupon, a brief recess ensued.) 14 THE VIDEOGRAPHER: All right, and we're back on the 15 record at 10:03. 16 BY MR. CAUTHORN: (Resuming) 17 Q Okay, all right. Do you -- I'm gonna show you -- 18 A Okay. 19 Q -- Exhibit A. This is what we received in -- more 20 than a year ago from the parks department as part of an open 21 records request. Do you know who fulfills the parks 22 departments open records requests? 23 A I was just told to get all the contracts I had -- 24 from the director, my boss, of all I had in 2019 at the casino. 25 Q Okay, so you -- so you're the one --</p>	<p style="text-align: right;">Page 28</p> <p>1 question. I know that we're -- that you're anticipating what 2 I'm asking, but some -- but for deposition purposes, I need -- 3 need it to be pretty clear in the transcript, okay? 4 A Uh-huh (affirmative). 5 Q Okay. So when you created the open records request 6 that you provided to our law firm, did you pull paper files and 7 scan them, or did you print from a computer electronically 8 stored documents from a computer? 9 A I pulled all my paper files. I did not go to the 10 computer. 11 Q Okay. So does that mean that there was not a paper 12 file related to the June 14th 25 Gents event? 13 A There was -- there was one in the computer. I don't 14 know why it wasn't in my file, if you did not receive it. But 15 there was one in the computer. 16 Q Okay. Did you -- and when you just produced 17 Exhibit D and Exhibit E to me, how did you produce those? 18 A You mean the one I just gave you? 19 Q Yes, ma'am, the ones -- 20 A I -- yeah -- I went on the computer and -- I went to 21 June 14th in -- on my computer on the Julian Smith Casino 22 page -- and I went to June 14th, 2019, and it's right there. 23 Q Okay. And there -- 24 A And it has the -- 25 Q Okay. And it -- so there's -- there are two separate</p>

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1 documents stored in that computer for June 14th, 2019?

2 A No. I just printed you the one out -- the first

3 one -- I printed it off the computer. And then I had another

4 copy of it in a file -- when all this was going on I had

5 another copy of it because -- I don't know how that date

6 changed. I'm -- I -- I have no idea.

7 Q Okay. Did -- did you print a copy of it on January

8 31st of 2022?

9 A It's -- I have -- I -- I don't think I did. Somebody

10 else could have, but I -- I don't think I did.

11 Q When did you create the paper file for the June

12 14th, 2019 event?

13 A When did I do the -- do the contract?

14 Q No. You just said that you had one that's on the

15 computer and one that's on paper. And I was gonna ask -- and I

16 was asking you --

17 A Oh, Oh. I -- when -- when all this was going on and

18 we had to have all the -- all the things, I just -- I just -- I

19 had -- I had one in my -- in a -- in a file.

20 Q All right. And when you say all this was going on,

21 are you talking about this lawsuit?

22 A It was in the paper. They asked us about the

23 situation that was in the paper, and they wanted to know what

24 went on June 14th. So I -- I made a copy of that -- of that

25 contract when -- when it was first in the paper. Because when

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1 you look in the paper and it says Julian Smith Casino, you're a

2 little concerned about what's going on at Julian Smith

3 Casino -- which it didn't have anything really to do with us,

4 because this thing -- you know, this thing happened off our

5 grounds -- so they asked us to get all the information. So I

6 made a copy of the contract from the computer so I could have a

7 file of what was in the paper. I have copies of what was in

8 the paper about Julian Smith Casino.

9 Q Okay. And who asked you about -- about what was in

10 the paper?

11 A My boss --

12 Q Okay. And what was in the paper? I don't -- I don't

13 know --

14 A Augusta Press -- Augusta Press -- let me get -- I

15 don't even know where my file is -- Augusta Press had it in

16 there, and then a couple of days later it was in the -- this is

17 it -- this was August 2021. It says, lawsuit claims deputy off

18 book detail rape. And he was not off book, so that -- and then

19 I had another one that was in the Augusta -- it was from the

20 Augusta Press. It says, Richmond County Sheriff assaulted

21 woman at Julian Smith Casino.

22 Q Gotcha, okay.

23 A And that was a big concern with us that it was at

24 Julian Smith Casino. And then if you read the article, it says

25 it did not happen at Julian Smith Casino.

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1 Q Okay, okay. Now, when I -- have you read the

2 complaint in this case?

3 A Yes.

4 Q Okay. And I don't think we allege that the -- that

5 the rape happened at Julian Smith, did we?

6 A No, you did not. But it was all in the paper that it

7 happened at Julian Smith in the big -- in the big headlines, so

8 I had to look into it.

9 Q Okay. So did -- did you guys -- with this event on

10 June 14th of 2019, did you guys -- and I say you guys, I

11 mean -- I mean the parks and recreation department -- did y'all

12 have any communications with Deputy Charlie Walker?

13 A I didn't. I don't even know who he is.

14 Q Okay, okay. And I think I may have asked this

15 before, but I wasn't -- I'm not sure the answer was clear to

16 me. When a sheriff's deputy provides security at an event at

17 Julian Smith Casino, does -- is -- is that sheriff's deputy

18 supposed to be -- is -- is that sheriff's deputy working, or is

19 that extra duty, like private security duty that the sheriff's

20 deputy provides on his own time?

21 A Well, they're getting paid, so I'm just assuming it's

22 extra duty because I -- you can't get -- you can't get paid

23 twice.

24 Q Okay. Does the parks department communicate with the

25 sheriff's office to find out who is gonna be the -- the officer

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1 providing security?

2 A Yes. They send us a name back and let us know by

3 email.

4 Q Okay. And do y'all have emails from June 14th

5 from -- for this event?

6 A That -- that's something that I wouldn't receive. It

7 would be Darrell Mayle. He receives that.

8 Q Can you spell that name for me?

9 A D-A-R-R-E-L (sic) M-A-Y-L-E. He is over the Julian

10 Smith Casino.

11 Q So for -- and I'm gonna ask a general question, and

12 then I'm gonna ask a smaller -- a more -- more refined

13 question. So generally, when there is -- there is security

14 provided by the sheriff's department at a parks and recreation

15 facility where there is a private event being held, the

16 communications about the -- who the officer is gonna be and all

17 that is transmitted directly to the person who's in charge of

18 that facility?

19 A Correct.

20 Q Okay. So was -- specifically to Julian Smith Casino,

21 when there is an event where the sheriff's department is

22 providing security, the sheriff's department communicates

23 directly with Darrell Mayle -- Mayle?

24 A Correct.

25 Q Did you say correct to Darrell Mayle, or correct that

<p style="text-align: right;">Page 33</p> <p>1 they communicate directly with him?</p> <p>2 A They -- correct -- they -- they communicate directly</p> <p>3 with him. It is his job to make sure that he communicates with</p> <p>4 the police officers and the firemen.</p> <p>5 Q Okay, understood. At the actual event, are there any</p> <p>6 parks department people at the -- who -- who are required to</p> <p>7 attend events at the -- at the facilities?</p> <p>8 A Yes.</p> <p>9 Q Okay. And how -- how does that work? Explain to me</p> <p>10 how that -- how that works and -- and -- and what the</p> <p>11 department does with regard to their personnel being at events.</p> <p>12 A Every one of our buildings that are indoor buildings</p> <p>13 does have to have a staff person, or more than one staff</p> <p>14 person, there during the event. That's to make sure everybody</p> <p>15 is doing what they're supposed to be doing, you know. And if</p> <p>16 there's lights or anything that needs to be done there, they</p> <p>17 have to be there during the entire event, even setting up and</p> <p>18 cleaning up. This event with the 25 Gents was over 200 people,</p> <p>19 so it would require two staff people to be there.</p> <p>20 Q Okay. Do you know who was working there on June</p> <p>21 14th?</p> <p>22 A I do.</p> <p>23 Q Who was working there?</p> <p>24 A Alzater Johnson and Gerald Smith.</p> <p>25 Q How do I spell Alzater?</p>	<p style="text-align: right;">Page 35</p> <p>1 A Of my knowledge, no.</p> <p>2 Q Okay. Do you know if anybody that works at the parks</p> <p>3 department goes to the 25 Gents events as a -- as a guest, not</p> <p>4 working, but as a participant in the festivities?</p> <p>5 A I -- I have no idea, but as far as I know, no. But</p> <p>6 I -- I do not know.</p> <p>7 Q Okay. What is Darrell Mayle's email?</p> <p>8 A JMayle@augustaga.gov</p> <p>9 Q Okay. And that's M -- J-M-A-Y-L-E?</p> <p>10 A Correct.</p> <p>11 Q Okay. What is your email -- your work email?</p> <p>12 A CKuhlke@augustaga.gov</p> <p>13 Q Okay. When did -- when did the parks department</p> <p>14 first find out about the -- the allegations made by Ms. Colon?</p> <p>15 A When it was in -- I -- I found out when it was in the</p> <p>16 Augusta Press, and it said rape -- I'm not sure, but it -- it</p> <p>17 listed Julian Smith Casino. And that's when we -- that's when</p> <p>18 they wanted to know who -- who was that date and everything.</p> <p>19 That's -- that's how I got that contract.</p> <p>20 Q Okay. Were you ever made aware of a -- of a -- of</p> <p>21 a -- of a letter sent to the county commissioners and the</p> <p>22 sheriff and the -- and the mayor back in 2020 -- in April</p> <p>23 of 2020?</p> <p>24 A No, sir.</p> <p>25 Q Have there ever been any other allegations of any</p>
<p style="text-align: right;">Page 34</p> <p>1 A A-L-Z-A-T-E-R.</p> <p>2 Q And Gerald Smith?</p> <p>3 A Gerald Smith.</p> <p>4 Q Okay. Who is Alzater Johnson?</p> <p>5 A She works with us part time at the Julian Smith</p> <p>6 Casino.</p> <p>7 Q Okay. Who is Gerald Smith?</p> <p>8 A Gerald Smith is a full-time employee with us that</p> <p>9 works at McDuffie Woods and he helps out with rentals.</p> <p>10 Q And when you say he helps out with rentals, what --</p> <p>11 can you -- can you be -- can you elaborate on that?</p> <p>12 A You can -- you can assign any staff. They don't</p> <p>13 necessarily have to work at Julian Smith Casino.</p> <p>14 Q You just have to fill in with coverage?</p> <p>15 A Correct.</p> <p>16 Q Okay, I understand. So when there's an event that's</p> <p>17 big and you have two people, you gotta find two people to -- to</p> <p>18 work at it?</p> <p>19 A Correct.</p> <p>20 Q Okay, all right. So Alzater Johnson and Gerald Smith</p> <p>21 were at Julian Smith Casino working for the parks department on</p> <p>22 June 14th, 2019?</p> <p>23 A Correct.</p> <p>24 Q Okay. Is it -- do you know if anybody that works in</p> <p>25 the parks department is a member of 25 Gents?</p>	<p style="text-align: right;">Page 36</p> <p>1 kind of improper behavior or injury of a guest at a Julian</p> <p>2 Smith Casino event?</p> <p>3 A Not of my knowledge.</p> <p>4 Q Are the -- are the people who rent the facilities</p> <p>5 required to purchase any kind of insurance for the event?</p> <p>6 A No, sir.</p> <p>7 Q Okay.</p> <p>8 A I mean, it all depends on what kind of event, which</p> <p>9 we -- they can't have over a certain amount of -- of people at</p> <p>10 the casino because it only holds 350.</p> <p>11 Q So 350 is the maximum number of -- of --</p> <p>12 A Well, you can have -- you can have up to 400, but we</p> <p>13 say 350.</p> <p>14 Q Okay. But what I mean is the -- is the -- the county</p> <p>15 doesn't require any kind of certificate of insurance for</p> <p>16 hosting any -- any events at Julian Smith Casino?</p> <p>17 A If you are selling tickets and you are having a huge</p> <p>18 event, at the door you would have to have insurance. But we</p> <p>19 don't have very many of them because you have to have four</p> <p>20 police officers, two firemen, and four staff members --</p> <p>21 Q How many --</p> <p>22 A -- contract.</p> <p>23 Q How many -- how many -- how many law enforcement</p> <p>24 officers -- police or sheriff -- were working at the June</p> <p>25 14th event?</p>

<p style="text-align: right;">Page 37</p> <p>1 A One.</p> <p>2 Q Okay. And how do you decide how many are supposed to</p> <p>3 work a particular event?</p> <p>4 A You would have to have -- you would have to have --</p> <p>5 it's -- it's over 300, you would have to have two police</p> <p>6 officers.</p> <p>7 Q Okay, so if it's under 300, it's one? And if it's</p> <p>8 over 200, its two?</p> <p>9 A Correct.</p> <p>10 Q And if you're --</p> <p>11 A Over 300.</p> <p>12 Q Okay, over 300 its two, right?</p> <p>13 A Yes.</p> <p>14 Q And if you're selling tickets at the door, it's four?</p> <p>15 A Correct. And it all depends on what kind of event it</p> <p>16 is really. That's when the director decides, if you're selling</p> <p>17 tickets at the door. Because if it's a bridal show and you're</p> <p>18 selling tickets at the door, you don't need four police</p> <p>19 officers. So it's basically up to the director. He has to --</p> <p>20 he has to tell you exactly how many people you would have to</p> <p>21 have.</p> <p>22 Q And you mean -- are you referring to the director of</p> <p>23 the parks and recreation department?</p> <p>24 A Correct, uh-huh (affirmative).</p> <p>25 Q What's that person's name?</p>	<p style="text-align: right;">Page 39</p> <p>1 identification.)</p> <p>2 BY MR. CAUTHORN: (Resuming)</p> <p>3 Q This is a -- Title 6 of the Augusta-Richmond County</p> <p>4 Code of Ordinances, and I wanted to just kind of -- just point</p> <p>5 out a couple of things and see if that is consistent with the</p> <p>6 park's policies. And I believe they are, because what you</p> <p>7 described to me in general terms earlier appear to be what is</p> <p>8 included in these regulations. Are you there?</p> <p>9 A Yes, God, darn it.</p> <p>10 Q Okay. All right, first I wanna -- these are Bates</p> <p>11 numbered. Richmond Code Title 60001, do you see that on the</p> <p>12 bottom right of that first page?</p> <p>13 A Yes -- 001 -- I see that, yes.</p> <p>14 Q We're gonna go to page 43, and this is Section</p> <p>15 6-2-77. Do you see that on there?</p> <p>16 A Wait a minute.</p> <p>17 Q Uh-huh (affirmative).</p> <p>18 A Wait -- I'm sorry, I'm making it bigger --</p> <p>19 information provided -- no -- which number is it -- four,</p> <p>20 five --</p> <p>21 Q 6-2-77. Do you see that?</p> <p>22 A Hold on a second.</p> <p>23 Q Uh-huh (affirmative).</p> <p>24 A It's not -- I can't see it -- I --</p> <p>25 Q Are you on your phone?</p>
<p style="text-align: right;">Page 38</p> <p>1 A Maurice McDowell.</p> <p>2 Q Who was the director in -- on June 14th of 2019?</p> <p>3 A Oh, what's his name -- I'm sorry, I'm -- I'm going</p> <p>4 blank -- I'm going blank -- you're gonna have to give me -- I</p> <p>5 can't remember his name. Can I call somebody?</p> <p>6 Q Phone a friend? No, that's --</p> <p>7 A I -- can I phone a friend?</p> <p>8 Q No, that's okay. That's okay. That's a piece of</p> <p>9 information I can get somewhere else. If you knew it, I was</p> <p>10 gonna --</p> <p>11 A We've had -- we've has so many, so.</p> <p>12 Q How long has the current director been in their</p> <p>13 position?</p> <p>14 A About two years.</p> <p>15 Q Okay. So -- so the director in June of 2019 was the</p> <p>16 immediate predecessor of the current director?</p> <p>17 A Correct, correct.</p> <p>18 Q Do you know why the director left the parks</p> <p>19 department?</p> <p>20 A I have -- no, sir.</p> <p>21 Q Okay. Any rumors about why the director left?</p> <p>22 A No, sir. No, sir.</p> <p>23 Q Okay. I'm gonna share my screen again. Let's see.</p> <p>24 This has been labeled Exhibit C for this deposition.</p> <p>25 (Whereupon, Plaintiff's Exhibit C was marked for</p>	<p style="text-align: right;">Page 40</p> <p>1 A I'm on my phone.</p> <p>2 Q All right. Well, I will -- what I'll do is I'll just</p> <p>3 represent to you that this reads to me like what you were</p> <p>4 talking about as the application for an occasional, single</p> <p>5 event license for on-premises consumption of alcoholic</p> <p>6 beverages.</p> <p>7 A Uh-huh (affirmative).</p> <p>8 Q And it says that a nonprofit may apply for a license</p> <p>9 whether or not they possess a -- an alcohol license. And</p> <p>10 that's -- that's what you were talking about before, that a</p> <p>11 nonprofit --</p> <p>12 A That's what --</p> <p>13 Q -- a license?</p> <p>14 A Uh-huh (affirmative), correct.</p> <p>15 Q Right?</p> <p>16 A Right.</p> <p>17 Q Okay.</p> <p>18 A You have to be nonprofit, yes.</p> <p>19 Q Okay. And then I'm gonna go to page 21 real quick.</p> <p>20 Do you see right here where it says Section 6-2-4 -- sorry,</p> <p>21 Section 6-2-5?</p> <p>22 A Yes. I see it in -- in general, okay.</p> <p>23 Q Okay. And this is about -- this is a part of the</p> <p>24 code of ordinances.</p> <p>25 A Okay.</p>

<p style="text-align: right;">Page 41</p> <p>1 Q Are you familiar with this part of the code of</p> <p>2 ordinances where it's -- it's the -- the -- the consumption of</p> <p>3 alcohol at public parks and public areas?</p> <p>4 A No -- to sell or offer to sell -- are you talking</p> <p>5 about number B?</p> <p>6 Q No. I'm talking about Section 6-2-5, sorry.</p> <p>7 A Oh, okay.</p> <p>8 Q Do you see that section?</p> <p>9 A Uh-huh (affirmative).</p> <p>10 Q Okay.</p> <p>11 A That means outdoor, correct?</p> <p>12 Q I -- well, I read it as all -- as public space. It</p> <p>13 says, it shall be unlawful for any one -- any person to serve</p> <p>14 or consume alcohol or offer for the purpose of consumption to</p> <p>15 anyone else or to be in possession of beer, wine, or any type</p> <p>16 of intoxicating liquor or beverage, in and on any public park,</p> <p>17 playground, or public building thereon, or other public area</p> <p>18 owned or operated by Augusta, at any time whatsoever, with the</p> <p>19 exception of -- and the first one there listed is Julian Smith</p> <p>20 Casino. Do you see that?</p> <p>21 A Where -- where are you? Okay, I --</p> <p>22 Q I'm at the top right. Do you see that?</p> <p>23 A I don't -- okay, yeah -- okay --</p> <p>24 Q Okay.</p> <p>25 A Yes, I see.</p>	<p style="text-align: right;">Page 43</p> <p>1 public or private, or any gathering at public facilities when</p> <p>2 alcohol is being served, or any occasion where the chief of the</p> <p>3 fire department and/or sheriff determine in their sole</p> <p>4 discretion that due to the nature of the function and/or</p> <p>5 facility, attendance of sheriff's deputies and/or firefighters</p> <p>6 is necessary, shall have in attendance such number of deputies</p> <p>7 and/or firefighters as shall be assigned by the chiefs of the</p> <p>8 respective departments.</p> <p>9 I read that to say that if you're having a dance where</p> <p>10 there's alcohol, you are required to provide firefighters and</p> <p>11 deputies as -- as designated by the -- by the sheriff's</p> <p>12 department and the fire department. Is that consistent with</p> <p>13 what you understand parks and recreational policy to be?</p> <p>14 A Yes.</p> <p>15 Q Okay. And it says that the person -- the manager or</p> <p>16 other person mentioned in the preceding section shall apply to</p> <p>17 the sheriff's department and the fire department to learn</p> <p>18 whether or not the attendance of deputies and/or firefighters</p> <p>19 is required.</p> <p>20 Now, you said they -- they -- that -- that you talk to the</p> <p>21 fire department. Do you talk to the fire department and the</p> <p>22 sheriff's office -- or the police on their behalf, or do they</p> <p>23 talk directly to the sheriff's office and the fire department</p> <p>24 on their own behalf as a part of the application process?</p> <p>25 A They don't call, but we do. We -- we -- we get it</p>
<p style="text-align: right;">Page 42</p> <p>1 Q And is that consistent with what you understand the</p> <p>2 park policies to -- the parks and recreation policies to be,</p> <p>3 that -- that --</p> <p>4 A Correct.</p> <p>5 Q Okay, okay. And then if you look at subsection (B)</p> <p>6 down here it says that, prior written approval must be obtained</p> <p>7 from the Sheriff of Richmond County, Georgia, and the Director</p> <p>8 of the Recreation Department, when alcoholic beverages are</p> <p>9 served or consumed at Julian Smith Casino. Do you see that?</p> <p>10 A Uh-huh (affirmative).</p> <p>11 Q Okay. And that seems consistent with the park</p> <p>12 policy -- or with the parks and rec policy that you were just</p> <p>13 describing to me; is that -- is that right? Is that the park</p> <p>14 policy that y'all have to get approval from the sheriff and</p> <p>15 from the director of the recreation department before there can</p> <p>16 be alcoholic beverages consumed or served at Julian Smith</p> <p>17 Casino?</p> <p>18 A Correct.</p> <p>19 Q Okay. Now I'm gonna show you page 105 here. Okay,</p> <p>20 and this is about -- this is Chapter 8 -- this is Attendance of</p> <p>21 Deputies and Firefighters, Section 6-8-1 --</p> <p>22 A Uh-huh (affirmative).</p> <p>23 Q -- and it's when they're required. And it says, the</p> <p>24 manager of, or any person giving, any public amusement show,</p> <p>25 exhibition or performance, any public ball, any dances either</p>	<p style="text-align: right;">Page 44</p> <p>1 assigned.</p> <p>2 Q Okay. And then you find out about the assignment of</p> <p>3 the police and then you let the person planning the event know?</p> <p>4 A Correct.</p> <p>5 Q Okay. This says -- on Section 6-8-3 it says</p> <p>6 generally that the -- that the person who's hosting the event</p> <p>7 is responsible for paying the sheriff's deputy and the -- and</p> <p>8 the firefighter. Do they -- do they pay the -- the sheriff's</p> <p>9 deputy through the parks department, or do they pay them</p> <p>10 directly?</p> <p>11 A They pay them directly. They pay them cash the day</p> <p>12 of.</p> <p>13 Q Okay. So literally when a -- when a sheriff's deputy</p> <p>14 provides security at an event at Julian Smith Casino, at the</p> <p>15 end of the event whoever is in charge of the event gives them a</p> <p>16 check or -- or cash?</p> <p>17 A No. They get cash. And they get it before the event</p> <p>18 is over.</p> <p>19 Q Okay, okay. And they get it right there, like at the</p> <p>20 event at the facility?</p> <p>21 A Right, correct.</p> <p>22 Q Okay. Do you know who would have paid Charlie Walker</p> <p>23 on June 14th of 2019?</p> <p>24 A I -- I have no idea.</p> <p>25 Q Okay. And do you know if Charlie Walker was there</p>

<p style="text-align: right;">Page 45</p> <p>1 providing security on June 14th of 2019 at the 25 Gents 2 event? 3 A I was told he was, but I wasn't there. 4 Q I understand. And that would be -- Darrell Mayle 5 would have been the one who -- who -- who got that -- received 6 that information, correct? 7 A Correct. 8 Q Okay. So somewhere Darrell Mayle would have an email 9 from the sheriff's department saying that Charlie Walker is 10 gonna be assigned security at the June 14th, 2019 event at 11 Julian Smith Casino? 12 A He should have -- he -- he should have had an email, 13 or he could have talked to him. I don't know. You'd have to 14 ask him. 15 Q Understood. 16 A But you're supposed to get an email, yes. 17 Q Understood. You don't -- you don't get in the weeds 18 at that level? 19 A I mean, I -- I do if I have to because I'm his 20 supervisor. But he -- he does a good job and I let him do 21 that. 22 Q Understood. So this is gonna be Exhibit C to the -- 23 to the deposition, this 105 pages that is -- that is Title 6 of 24 the Richmond County Code. We're gonna have an Exhibit A, C, D, 25 and E. I don't believe we're gonna have an Exhibit B.</p>	<p style="text-align: right;">Page 47</p> <p>1 A Correct. 2 Q Okay. 3 A If -- if they -- permit. 4 Q That's -- I -- 5 A I -- 6 Q Correct. Yeah, I -- I'm not -- 7 A -- need it, yes. 8 Q Yeah. And -- and it's the parks department position 9 that the 25 Gents did not need a permit because they were 10 having a bring your own alcohol event? 11 A Correct. 12 Q Okay, okay. And that's the parks department 13 understanding for decades, that the 25 Gents events has been a 14 bring your own alcohol event? 15 A Correct. 16 Q Okay. So they never -- so y'all didn't -- so y'all 17 didn't ask for any kind of permit, and no permit was applied 18 for, and no permit was given; is that right? 19 A Correct. 20 Q Okay. What is the significance of the -- the 21 permitting process? And -- and -- and let me explain to you 22 what I mean. So you've got a bring your own beer event versus 23 a -- versus a provided alcohol event. 24 A Uh-huh (affirmative). 25 Q Why does the parks department distinguish between a</p>
<p style="text-align: right;">Page 46</p> <p>1 So I'm gonna show you page 44 of this same Title -- 2 Title 6. And this is -- this is from Section 62-77 (sic) -- 3 6-277 (sic) and it's the -- and -- and I wanna show you 4 subparagraph (9). And a. under a subparagraph (9) -- can you 5 see what I'm looking at? And I'll read it and see if -- see if 6 that's consistent with y'all's policy. 7 A I see that, yeah. I see that nine, 8 uh-huh (affirmative). 9 Q It says, the Director of License and Inspection shall 10 forward the application to the Recreation Department Director, 11 if applicable, then forward to the Richmond County Sheriff, who 12 shall indicate his approval or disapproval of the application. 13 And with the application, they're talking about the 14 application for the alcohol permit. 15 A Okay. 16 Q Is that consistent with your understanding of how 17 that works? 18 A Well, I know that we received it before the event, 19 yes. 20 Q Okay. And -- 21 A And that would be -- who received it, if they need 22 one. 23 Q And -- and the approval comes through the director of 24 license and inspection and the sheriff's department, not 25 through the parks department, right?</p>	<p style="text-align: right;">Page 48</p> <p>1 bring your own beer event versus a provide alcohol event? 2 A If you're providing alcohol and there's -- there is 3 money on the premises and they are selling it, that goes to a 4 whole 'nother level. You will have to have a permit. If you 5 bring your own and they have it, you know, right there at the 6 table and everything else, then -- and you're not exchanging 7 money, it's totally different. Now, that's what is -- was 8 explained to us from the license and inspection department. 9 Q Okay. Are there any security requirements that are 10 different if you are providing alcohol versus if you are 11 bringing your own? 12 A No. 13 Q Okay. So if you have fewer than 300 people and 14 you're providing alcohol, you're still only going to have one 15 sheriff's deputy working security? 16 A Correct. 17 Q Okay. Let me look at my notes real quick and -- and 18 we'll take ten. And then I'll have a few more question, but 19 we're approaching the end of -- the end of my questioning. So 20 just give me a few minutes, Ms. Kuhlke, and -- and I'll come 21 back and we'll finish this thing up, okay? 22 A Okay, thank you. 23 THE VIDEOGRAPHER: We are off the record at 10:37. 24 (Whereupon, a brief recess ensued.) 25 THE VIDEOGRAPHER: We are back on the record at</p>

<p style="text-align: right;">Page 49</p> <p>1 10:41.</p> <p>2 THE WITNESS: Okay.</p> <p>3 BY MR. CAUTHORN: (Resuming)</p> <p>4 Q I've got follow-up -- a couple of follow-up questions</p> <p>5 just to clarify some things. When -- when you -- you've used</p> <p>6 the phrase bring your own alcohol a couple of times in this</p> <p>7 deposition. And you have said that when you bring your own</p> <p>8 alcohol, you don't have to apply for a permit or license for</p> <p>9 alcohol. That's -- that's my understanding. Is that -- is</p> <p>10 that a fair statement of what -- of what you have -- you said?</p> <p>11 A Correct.</p> <p>12 Q Okay. So when you say bring your own alcohol, who</p> <p>13 are you referring to bringing their own alcohol? Are you</p> <p>14 referring to the host of the event, or are you referring to the</p> <p>15 individual guests of the event?</p> <p>16 A Individual guest.</p> <p>17 Q Okay. Do you understand why I'm trying to</p> <p>18 distinguish that?</p> <p>19 A Correct.</p> <p>20 Q Okay.</p> <p>21 A Uh-huh (affirmative).</p> <p>22 Q So if I'm hosting a -- if I am hosting a party like</p> <p>23 the one on June 14th and I've got an open bar --</p> <p>24 A That's --</p> <p>25 Q -- I'm not selling alcohol -- just a minute -- I'm</p>	<p style="text-align: right;">Page 51</p> <p>1 actually was -- I trying to figure out if she meant both</p> <p>2 of them or the sheriff. Because the ordinance says</p> <p>3 sheriff, not police, and I -- and there is a difference,</p> <p>4 so thanks.</p> <p>5 MS. HAYNES: Yeah. We don't have police.</p> <p>6 MR. CAUTHORN: I -- I -- I -- I didn't -- I was</p> <p>7 wondering.</p> <p>8 THE WITNESS: It's the same.</p> <p>9 MR. CAUTHORN: No, I mean, I understand for purposes</p> <p>10 of someone who lives in Augusta-Richmond County, that's</p> <p>11 basically the same thing. Because when the sheriff</p> <p>12 provides the police protection, that -- the -- in your --</p> <p>13 in the -- in an individual's mind, there's not much of a</p> <p>14 difference. But for purposes of this lawsuit, there is</p> <p>15 a -- there is a difference.</p> <p>16 THE WITNESS: Okay.</p> <p>17 MR. CAUTHORN: Okay. So thank you for clarifying.</p> <p>18 And I hope that you have a good weekend and thank you for</p> <p>19 your time.</p> <p>20 THE WITNESS: Okay, thank you.</p> <p>21 MR. CAUTHORN: We are -- do y'all -- Ms. Haynes, are</p> <p>22 y'all gonna read and sign?</p> <p>23 MS. HAYNES: No. And I will call Ms. Johnson and see</p> <p>24 if she can come early.</p> <p>25 THE WITNESS: I don't know how to turn this off.</p>
<p style="text-align: right;">Page 50</p> <p>1 not selling alcohol --</p> <p>2 A Right.</p> <p>3 Q -- but I am providing alcohol. Would I be required</p> <p>4 to get a permit?</p> <p>5 A If you are providing alcohol and you do not charge</p> <p>6 for that alcohol, you would not need a permit. But if you are</p> <p>7 charging and you're charging -- even in -- let's say a</p> <p>8 ticket -- you would have to have alcohol -- I mean, an alcohol</p> <p>9 license because you are selling that alcohol. And that person</p> <p>10 that's giving the party is providing it, and it is provided on</p> <p>11 that ticket.</p> <p>12 Q Okay, thank you. I think that's -- I think that's</p> <p>13 all the questions I have for you, Ms. Kuhlke, subject to any</p> <p>14 kind of follow ups if -- if Ms. Haynes or Mr. Frails have any</p> <p>15 questions.</p> <p>16 A Okay.</p> <p>17 DIRECT EXAMINATION</p> <p>18 BY MS. HAYNES:</p> <p>19 Q I just have one question, Ms. Kuhlke, I just want to</p> <p>20 clarify. You've been using like the word police and police</p> <p>21 department. When you say that, are you referring to the</p> <p>22 Richmond County Sheriff's Office?</p> <p>23 A Correct, correct, yes.</p> <p>24 Q Okay, thank you.</p> <p>25 MR. CAUTHORN: Thanks for clearing that up because I</p>	<p style="text-align: right;">Page 52</p> <p>1 MR. CAUTHORN: Okay. Let me -- I'm gonna email you</p> <p>2 my cell phone --</p> <p>3 THE COURT REPORTER: Ms. Kuhlke --</p> <p>4 MR. CAUTHORN: -- because I'm -- I'm gonna step away</p> <p>5 from my desk for about 15 minutes or so. So I'm gonna</p> <p>6 email you my cell phone, and you can call me or text me --</p> <p>7 or whatever you wanna do -- and let me know if she's gonna</p> <p>8 be ready by -- say like 11:30 or 11:15 or 11:00.</p> <p>9 MS. HAYNES: Okay.</p> <p>10 MR. CAUTHORN: Okay?</p> <p>11 MS. HAYNES: All right.</p> <p>12 MR. CAUTHORN: All right, thank you.</p> <p>13 MS. HAYNES: Uh-huh (affirmative).</p> <p>14 THE VIDEOGRAPHER: We are off the record at 10:45.</p> <p>15 (Whereupon, the deposition concluded at 10:45 a.m.)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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C E R T I F I C A T E

STATE OF GEORGIA)
COUNTY OF FULTON)

I, JENNIFER A. GERBER, Certified Court Reporter in and for the State of Georgia, do hereby certify that the foregoing proceedings were taken down by me; that the foregoing proceedings were reduced to print by me; that the foregoing pages represent a true, correct, and complete transcript of the testimony given by the witness, who was first duly sworn by me; that I am not a relative, employee, attorney or counsel of any of the parties; that I am not a relative or employee of attorney or counsel for any of said parties; nor am I financially or otherwise interested in the outcome of the action.

This certification is expressly withdrawn and denied upon the disassembly, photocopying, reproduction of electronic copies, and/or distribution of the foregoing transcript, or any part thereof, including exhibits, unless said disassembly, photocopying, reproduction, and/or distribution is done by me and my signature and original seal is attached thereto.

I further certify that the original of said deposition shall be filed under seal with J. Wickliffe Cauthorn, Attorney at Law; The Cauthorn Firm, 201 Cherokee Street, Marietta, Georgia.

This, the 14th day of February, 2022.



JENNIFER A. GERBER

CERTIFIED COURT REPORTER # 6241-2465-4151-2704

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C O U R T R E P O R T E R D I S C L O S U R E S T A T E M E N T

STATE OF GEORGIA)
COUNTY OF FULTON)

I, JENNIFER A. GERBER, Certified Court Reporter, pursuant to Article 10.B of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia, I make the following disclosure:

1. I am not disqualified for a relationship of interest under the provisions of O.C.G.A. Sec. 9-11-28(c).

2. I am a Georgia Certified Court Reporter

3. I am an independent contractor of Kellie K. Rodman, LLC, d/b/a Rodman Reporting.

4. Rodman Reporting was contacted by the office of the deposing counsel to provide court reporting services for this deposition.

5. I will not be taking this deposition under any contract prohibited by Georgia law, O.C.G.A. 15-14-37(a). I will charge usual and customary rates to all parties in the case.



JENNIFER A. GERBER

CERTIFIED COURT REPORTER # 6241-2465-4151-2704

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